



File Code: 1950

Date: August 9, 2007

Decision Memo
For the
Bunga Jar Road Aquatic Restoration Project

Pemigewasset Ranger District

White Mountain National Forest
USDA Forest Service

I. DECISION TO BE IMPLEMENTED

As District Ranger of the Pemigewasset Ranger District, I am authorizing work to be conducted on two separate culverts along the Bunga Jar Road. Currently the Bunga Jar Road has two culverts that are not large enough to maintain proper hydrologic function in two tributaries of the Wild Ammonoosuc River. Natural changes to these tributaries have resulted in a situation where the culverts are undersized. Forest engineers have examined these crossings and determined that they are undersized and there is a risk of structure failure, which would degrade water quality and aquatic habitat. In addition, the existing culverts are limiting fish passage to upstream habitat. One seven foot diameter culvert will be removed and replaced with a portable steel hinged bridge. A poorly aligned four and a half foot culvert at another crossing will be replaced with a seven foot diameter culvert. The seven foot culvert removed from the first crossing may be used at the other site if high structural integrity of the culvert can be maintained during the removal.

The WMNF Forest Plan provides goals for managing and protecting aquatic resources. The Forest Plan Goals for Riparian and Aquatic Habitat state that the Forest Service will (Forest Plan page 1-15):

- Restore and improve self-sustaining populations of indigenous fish and other aquatic species and their habitats. (Forest Plan page 1-15)
- Manage riparian areas to provide for coldwater, cool water, and warm water, aquatic communities within the ecological capability of the landscape. (Forest Plan page 1-15)

In addition Forest Plan management guidelines for Water Resources state that:

- All permanent new, redesigned, or reconstructed stream crossings must be designed to pass bankfull flows, withstand expected flood flows, provide for the passage of sediment bedload and woody material, and allow free movement of resident aquatic life. (Forest Plan 2-31)



I am satisfied this project will accomplish these goals. The proposed replacements will allow bankfull flows to pass unimpeded, which will restore normal sediment movement. This will eliminate the high scour below the pipes and the sediment accumulation occurring above the pipes. Restoring these hydrologic processes will eliminate the barriers to movement of fish and other aquatic life at these two sites. This project is part of a larger effort on the WMNF to demonstrate the best available science for stream crossing management.

This project will occur along the established Bunga Jar Road on land designated by the 2005 WMNF Forest Plan as Management Area (MA) 2.1, General Forest Management. The Bunga Jar Aquatic Restoration project work will be consistent with the Forest-wide and MA 2.1 Standards and Guidelines in the Forest Plan (Forest Plan page 3-3). The Forest Service will monitor all activities to ensure that the project is implemented and the bridge functions as designed.

Implementation would occur during summer of 2007, when these tributaries are in low flow.

This decision is categorically excluded from further documentation and is not subject to appeal.

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) when those decisions are within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b or one of the categories listed in Forest Service Handbook (FSH) Chapter 30, Section 31.2; and there are no extraordinary circumstances related to the proposal or within the proposed project area.

A. Category of Exclusion

Based upon the environmental analysis contained in the Project File and on experience with similar activities on the WMNF and other National Forest Lands, I have determined that the proposed project fits within the class of actions listed in FSH 1909.15, Section 31.2 Category (7), which encompasses "Modification or maintenance of stream or lake aquatic habitat improvement structures using native materials or normal practices."

B. Rationale for Using the Category

I have reviewed the proposed action and input from resource specialists, and have determined that the Bunga Jar Road Aquatic Restoration Project falls within this category because this project is designed to improve fish habitat, using portable bridges and culvert replacement are normal practices.

C. Relationship to Extraordinary Circumstances

C1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service Sensitive Species.

The activities planned for this project will have no effect on any species that is federally listed or proposed as threatened or endangered. Nor will it result in adverse modification to such species' designated critical habitat. Accordingly, these actions will have no effect on threatened, endangered, or proposed species or their critical habitats. The project also would have no impact on any Regional Forester Sensitive Species.

The District Biologist completed a Biological Evaluation (BE) for the proposed Wildwood Project that includes vegetation management within a project area of approximately 2,550 acres. The Bunga Jar Aquatic Restoration Project is located within the Wildwood Project Area. The Pemigewasset District Biologist determined that the documentation within the Wildwood BE would be sufficient and appropriate for the Bunga Jar Aquatic Restoration BE.

C2. Floodplains and Wetlands

Executive Order 11988 requires Federal agencies to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as, "the lowland and relatively flat areas adjoining inland and coastal waters including flood prone areas of offshore islands, including at a minimum, that area subject to a one percent or greater chance of flooding in any given year." The Interdisciplinary Team for the Bunga Jar Project found that the Bunga Jar Aquatic Restoration Project will have no adverse impacts on any low lying or floodplain areas.

Executive order 11990 requires Federal agencies to avoid impacts associated with destruction or modifications of wetlands. Wetlands are defined by this order as, "...areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction."

The Forest Service has acquired the appropriate permits from the State of New Hampshire for this work to be conducted. The Forest Service will also follow all Standards and Guidelines found in the Forest Plan for Riparian and Aquatic Habitats (Forest Plan page 2-24) and Water Resources (Forest Plan page 2-30).

C3. Congressionally designated areas such as Wilderness, Wilderness Study Areas, or National Recreation Areas

The project area is not located in any congressionally designated areas, such as Wilderness, Wilderness Study Areas, or National Recreation Areas. This decision will not affect any Congressionally Designated Areas.

C4. Research Natural Areas

There are no Research Natural Areas in the project area. This decision will not affect any Research Natural Areas.

C5. Inventoried Roadless Areas

The Jobildunk inventoried roadless area (IRA) is located adjacent to the Project Area. The decision to implement this project will have no affect on the Jobildunk IRA.

C6. American Indians and Alaska Native Religious or Cultural Sites

The Bunga Jar Aquatic Restoration Project will have no impact on any American Indians and Alaska Native Religious or Cultural sites.

C7. Archaeological Sites or Historic Properties

The Bunga Jar Aquatic Restoration Project will have no impact on any archaeological sites or historic properties.

III. Public Involvement

A Scoping Report for this project was signed on June 26, 2007 and posted on the Schedule of Proposed Actions (SOPA) for the July 2007 through September 2007 edition. Eight responses were received during the scoping period. These eight responses were reviewed and no issues were identified.

The proposed action does not include any activities that are subject to the *Earth Island Institute v. Ruthenbeck* decision.

IV. Finding Required By and/or Related to Other Laws and Regulations

A. Finding of Legal Compliance

My decision complies with all applicable laws and regulations, including:

A1. National Environmental Policy Act

This Act requires public involvement and consideration of potential environmental effects. This Decision has been prepared in accordance with the requirements of the National Environmental Policy Act.

A2. National Forest Management Act (Forest Plan Consistency)

The 2005 WMNF Forest Plan provides guidance for all natural resources management activities on the Forest. This Act requires that all projects and activities be consistent with

the Forest Plan. This decision is responsive to guiding direction and is consistent with the standards and guidelines contained in the Forest Plan.

A3. Federal Noxious Weed Act of 1974

This Act requires cooperation with State, local, and other federal agencies in the management and control of Non-Native Invasive Species (NNIS). The Forest has complied with this Act by including mitigation measures to prevent the spread of NNIS. Mitigation Measures for this project are:

- Any heavy equipment must be visibly free of seeds and plant parts prior to entering the project area. Cleaning should take place off-Forest unless an on-Forest cleaning site has been approved by a Forest Officer in advance.
- Before ground disturbance is initiated, control any weeds already existing in the project area. This will be undertaken under the Forest wide NNIS Control Environmental Assessment and its associated prioritization strategy. A site inspection by the Forest Botanist revealed no NNIS at this location prior to project inception.
- Gravel and fill must come from weed-free sources. The Forest will be available to work with owners of local gravel sources to identify weed-free borrow material in their pits. The entire pit or fill area need not be identified as weed-free; material may be used that is not likely to contain invasive plants or seeds.
- Minimize soil disturbance to no more than needed to meet project objectives.
- Where project disturbance creates bare ground, consistent with project objectives, reestablish vegetation to prevent conditions to establish weeds. Use native seed where appropriate and feasible, and use certified weed-free hay or straw where certified materials are reasonably available.

A4. Wild and Scenic Rivers Act

The affected tributaries do flow into an eligible Wild and Scenic River, the Wild Ammonoosuc River. The project area is 0.49 miles from the nearest point on the Wild Ammonoosuc River. Consequently, the planned activities for this project will have no affect on the eligibility of the Wild Ammonoosuc River as a Wild and Scenic River.

V. Administrative Review or Appeal

This decision is not subject to a higher level of administrative review or appeal, pursuant to 36 CFR 215.12(f). As stated previously, the proposed action does not include any activities that are subject to the *Earth Island Institute v. Ruthenbeck* decision. Detailed records can be found within the Project File documented by this Decision Memo. That file is available for public review upon request at the White Mountain National Forest, Pemigewasset Ranger District Office, 1171 Route 175, Holderness, NH 03245 during normal business hours.

VI. Implementation Date

This decision can be implemented immediately.

VII. Contact Person

The Responsible Official for the Bunga Jar Road Portable Bridge Project is the District Ranger for the Pemigewasset Ranger District. For additional information concerning this decision contact Spencer Bleadorn, Pemigewasset Ranger District, 1171 Route 175, Holderness, NH 03245; phone (603) 536-1315; TTY (603) 536-3281; or email: sbleadorn@fs.fed.us.

Sincerely,

/s/ Barbara A. Levesque
BARBARA A. LEVESQUE
Acting District Ranger